



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



KEITH CREAGH
DIRECTOR

SUBMITTED: February 17, 2015
RESUBMITTED: March 16, 2015

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission

Subject: Order to Regulate Use of the Ishpeming to Humboldt Rail-Trail Segment of the Iron Ore Heritage Trail, Marquette County
Land Use Order of the Director Amendment No. 2 of 2015

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, authorizes the Director to issue orders to implement land use rules.

Discussion and Background:

The Ishpeming to Humboldt Rail-Trail is co-managed by the Department of Natural Resources (Department) and the Iron Ore Heritage Recreation Authority (IOHRA) for multi-use traffic including biking, hiking, equestrian, snowmobile and off-road vehicle use, as well as off-road vehicles that are less than 65 inches in width. This narrow section of improved surface trail is only 12 feet wide, which does not accommodate vehicles 65 inches or larger in width. Vehicles larger than 65 inches in width pose safety concerns and user conflicts, and are unsafe in many areas due to wetlands, stream crossing and the pitch of the grade. Also, during the spring and in wet conditions, the weight of vehicles greater than 65 inches in width and the size of their tires damage the trail, resulting in a poor trail experience for all user groups.

This order would serve two purposes:

1. Prohibit vehicles 65 inches or larger in width from using the Ishpeming to Humboldt Rail-Trail segment of the Iron Ore Heritage Trail, excluding emergency vehicles, law enforcement vehicles, trail maintenance vehicles, Department vehicles and other vehicles as authorized by the Department; and
2. Prohibit hunting and the discharge of firearms, bows and arrows, and crossbows from the entire Ishpeming to Humboldt Rail-Trail segment of the Iron Ore Heritage Trail.

The reasons for prohibiting vehicles larger than 65 inches in width from using the Ishpeming to Humboldt Rail-Trail segment of the Iron Ore Heritage Trail include:

- a. A millage adopted by the IOHRA in 2010 was approved by voters to fund a multi-use trail, not a road. Allowing vehicles larger than 65 inches in width on the trail undermines the voters' intent and support.

March 16, 2015

- b. Private property owners with land adjacent to the Iron Ore Heritage Trail have expressed their support to the Department for banning vehicles larger than 65 inches in width on the Ishpeming to Humboldt Rail-Trail segment of the Iron Ore Heritage Trail.
- c. A new 1.9-mile section of trail (paid for by the Lundin Mining Corporation) already prohibits vehicles 65 inches or larger in width due to steep slopes and sharp corners. Restricting vehicles larger than 65 inches in width on the remainder of the Iron Ore Heritage Trail would simplify management of the trail system by making restrictions consistent.

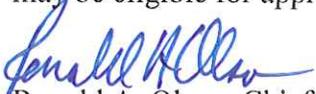
The reasons for prohibiting hunting along the Ishpeming to Humboldt Rail-Trail segment of the Iron Ore Heritage Trail include:

- a. The discharging of firearms poses safety concerns for trail users of all types.
- b. This section of trail is entirely bordered by privately owned land and runs through a residential and developed area. Private property owners adjacent to the Ishpeming to Humboldt Rail-Trail are concerned about firearm discharge from the rail-trail into their backyards.

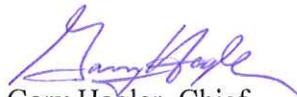
Recommendation:

This order is supported by the IOHRA, the U.P. North Country ATV Riders Association, the Superior Heartland Horse Trails, Michigan's Mid-UP Chapter of the Ruffed Grouse Society, the U.P. Whitetails Association, Eagle Mine/Lundin Mining, Tilden and Ely Townships, private landowners and all local Department resource managing divisions. Letters of support are attached.

This order was submitted for information at the March 19, 2015 Natural Resources Commission meeting. This item appeared on the Department's March 10 and March 31, 2015 calendar and may be eligible for approval on April 9, 2015.



Ronald A. Olson, Chief
Parks and Recreation Division



Gary Hagler, Chief
Law Enforcement Division



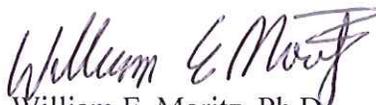
William O'Neill, Chief
Forest Resources Division



Russ Mason, Ph. D., Chief
Wildlife Division



James Dexter, Chief
Fisheries Division



William E. Moritz, Ph.D.
Natural Resources Deputy

LAND USE ORDERS OF THE DIRECTOR

Amendment No. 2 of 2015

By authority conferred on the Director of the Department of Natural Resources by Section 504 of the Natural Resources Environmental Protection Act, 1994 PA 451, MCL 324.504, and in accordance with R 299.921 to R 299.933, the Director of the Department of Natural Resources orders the following:

4.40 Certain state-owned trails, prohibited conduct.

Order 4.40 (1) The Musketawa trail means the former railroad right-of-way in the city of Muskegon, Muskegon county, T10N R16W, beginning at Ottawa avenue in section 20 and ending at Vulcan street in section 33, and the former railroad right-of-way beginning approximately ¼ mile northwest of the intersection of the right-of-way with black creek road in section 34, T10N R16W, Muskegon county, and extending southerly and easterly to the junction with the active railroad right-of-way located in section 36, T8N R13W, Ottawa county and commonly known as "Penn Junction." A person shall not do any of the following upon the Musketawa trail:

(a) Discharge a firearm, bow and arrow, or crossbow.

(b) Operate a motorized vehicle without written permission from the state trails coordinator, except that a registered snowmobile may be operated between points a and b described as follows:

(i) Point a -- approximately ¼ mile northwest of the intersection of the trailway with black creek road in section 34, T10N R16W, Muskegon county.

(ii) Point b -- the intersection of the trailway with eighth avenue, section 25, T8N R13W, Ottawa county.

(c) Operate a snowmobile between the crockery creek trestle and the easterly end of the trail in section 36, T8N R13W, Ottawa county, unless the trail manager has determined there is adequate snow cover on the trail surface and has posted the trail open to snowmobile use.

(2) The Bay View-Oden trail means the former railroad right-of-way extending between division street in bear creek township, section 33, T35N R5W and Blumke road in Littlefield township, section 17, T35N R4W, Emmet county. A person shall not operate a motorized vehicle upon the bay View-Oden trail without written permission of the forest management field coordinator, except that a snowmobile may be operated on this trail between highway M-119 in bear creek township, section 27, T35N R5W and Blumke road in Littlefield township, section 17, T35N R4W, Emmet county.

(3) The Ionia-Lyons trail means the former railroad right-of-way extending between Quarry road in section 21 and riverside drive in section 23, T7N R6W, Ionia county. A person shall not operate a motorized vehicle upon the Ionia- Lyons trail without written permission from the state trails coordinator.

(4) The Mackinaw-Alanson trail means the former railroad right-of-way extending between Nicolet street in the village of Mackinaw city, section 18, T39N R3W, Cheboygan county and M-68 extended, in the village of Alanson, section 10, T35N R4W, Emmet county. A person shall not operate a motorized vehicle, except a snowmobile, upon the Mackinaw-Alanson trail without written permission from the forest management field coordinator.

(5) The Cheboygan to Alpena trail means the former railroad extending between just south of Lincoln avenue and east of western avenue section 6, T37N R1W Cheboygan county and the west right-of-way side of U.S. 23 highway in section 9, T31N R8E Alpena county. A person shall not do any of the following on the Cheboygan to Alpena trail:

(a) Operate a motorized vehicle, except a snowmobile, without written permission from the forest management field coordinator.

(b) Use any portion of the trail or trail structure for swimming or diving.

(6) The Polly-Ann trail means the former railroad right-of-way beginning at Indianwoods road, section 4, T4N R10E, Oakland county, then northerly to a point 850 feet southeast of lake pleasant road in section 3, T8N R11E, Lapeer county, and includes a segment which is described as a 50-foot-wide strip of land around the perimeter of a gravel pit extending from railroad station 791+89.9, section 23, to railroad station 848+69.1, section 24, T5N R10E. For the purposes of this order, the former railroad right-of-way from railroad station 791+89.9, section 23, to railroad station 848+69.1, section 24, T5N R10E is excluded from the Polly-Ann trail. A person shall not do any of the following upon the Polly-Ann trail:

(a) Discharge a firearm, bow and arrow, or crossbow.

(b) Operate a motorized vehicle without written permission from the state trails coordinator.

(7) The Betsie Valley trail means all of the following: segment 1 which is the former railroad right-of-way from the city of Frankfort, section 27, T26N R16W, to Mollineaux road in section 20, T26N R15W including the former railroad right-of-way spur from this right-of-way into the village of Elberta, section 27, T26N R16W; segment 2 which is the 10-foot-wide trail easement along crystal lake between Mollineaux road and the village of Beulah, as located pursuant to the trail relocation agreement with the crystal lake property owners, and segment 3 which is the former railroad right-of-way from the village of Beulah, section 26, T26N R15W, to its intersection with the department-owned former CSX railroad right-of-way in the village of Thompsonville, section 36, T25N R14W, Benzie county.

(a) Enter, use, or occupy the Crystal lake boating access site 10-066 to access the Betsie valley trail (in accordance with 19th Judicial Circuit Consent Judgment, No. 04-7095-CE and Special Trail Use and Law Enforcement Plan No. 88-3199-CH), section 22, T26N R16W, Benzie county.

(b) A person shall not operate a motorized vehicle upon the Betsie valley trail without written permission from the forest management field coordinator, except that a person may operate a snowmobile on segment 3 as defined in subsection (7) of this order.

(c) On segment 2 as defined in subsection (7) of this order, a person shall not:

(i) Operate a snowmobile.

(ii) Discharge a firearm, bow and arrow, or crossbow.

(iii) Use the trail between 11:00 p.m. and 6:00 a.m.

(iv) Ride or lead a horse, pack animal, other riding animal, or pet on the trail, except a leader dog.

(v) Ride a bicycle:

(A) Between sunset and sunrise.

(B) In excess of 10 miles per hour.

(C) Fail to yield to other trail users or fail to yield to pedestrians crossing the trail.

(D) In an organized group of 10 or more persons without written permission from authorized trail staff.

(E) When instructed not to do so by authorized trail staff, as required to implement Bigelow et al. v. MDOT et al.

(8) A person shall not operate a motorized vehicle upon the Alpena-Hillman trail without written permission from the forest management field coordinator, except a person may operate a snowmobile on that portion of the trail

west of Bagley street beginning at the east line of section 29, T31N R08E. The Alpena-Hillman trail means the following two segments of inactive railroad rights-of-way:

(a) That segment beginning at the junction with the D&M railroad in the city of Alpena in section 28, T31N R8E, and ending at the west line of section 16, T31N R06E, Alpena county.

(b) That segment beginning at the east line of section 13, T31N R05E, Alpena county, and ending at the west line of the SE¼ of the NE¼ of section 24, T31N R04E, Montmorency county.

(9) The North central state trail means the former railroad right-of-way extending between Nicolet street in the village of Mackinaw city, section 18, T39N, R3W, Cheboygan county, and section 28, Livingston township, T31N R03W, Otsego county. A person shall not:

(a) Operate a wheeled, motorized vehicle upon the North central state trail without written permission from the forest management field coordinator.

(b) Operate a snowmobile upon that portion of the North central state trail extending from a point beginning at the intersection of the trail corridor with M-27 in Section 24, Inverness township, T37N R2W, and ending at the point where the trail intersects Grandview beach road in section 6, Tuscarora township, T35N R02W, Cheboygan county:

(i) At a speed greater than 35 miles per hour, except with written permission from a designated representative of the department.

(ii) Between 12 midnight and 8:00 a.m., except with written permission from a designated representative of the department.

(c) Operate a snowmobile upon that portion of the Cheboygan-Gaylord trail extending from a point beginning at the intersection of the trail corridor with M-27 in section 24, Inverness township, T37N R02W, and ending at the point where the trail intersects Grandview beach road in section 6, Tuscarora township, T35N R02W, Cheboygan county, except with written permission from the forest management field coordinator.

(10) The Montague-Berry junction trail means the former railroad right-of-way beginning in the city of Montague, section 21, T12N R17W, at the south terminus of the Hart-Montague trail state park, and ending in section 32, T11N R16W, Muskegon county and that spur in the city of Montague extending from section 21 to the west boundary of section 29. A person shall not operate a motorized vehicle upon the Montague-Berry junction trail without written permission from the district parks and recreation supervisor, except that a snowmobile may be operated between white lake drive (north line of section 3, T11N R17W) and McMillan road (south line of section 29, T11N R16W).

(11) The Thompsonville-Viaduct road trail means the former railroad right-of-way beginning in the village of Thompsonville, section 36, T25N R14W, Benzie county, at its intersection with the department-owned former CSX railroad right-of-way, and ending at the boundary between sections 23 and 24, T24N R13W, Manistee county. A person shall not operate a motorized vehicle, except a snowmobile, upon the Thompsonville-Viaduct road trail without written permission from the forest management field coordinator.

(12) A person shall not do any of the following on the Hancock to Calumet trail while within the city limits of Hancock, Houghton county:

(a) Operate a motorized vehicle in excess of 10 miles per hour.

(b) Operate a motorized vehicle, including but not limited to an ORV, snowmobile or trail groomer, 55 inches or greater in width, except with written permission of the unit manager, Baraga management unit, forest management bureau.

(c) Operate a motorized vehicle except on the paved, blacktop trail surfaces.

(13) The falling waters trail means the former railroad right-of-way beginning at Weatherwax road in section 16, Summit township, T3S R01W, thence traversing in a southwesterly direction a distance of approximately 4.4 miles, and ending at the centerline of Moscow road in section 23, spring arbor township, T3S R02W, Jackson county; and after approximately a 2.1 mile gap of state-ownership, beginning at the centerline of Teft road in section 29, spring arbor township, T3S R02W, thence traversing in a southwesterly direction a distance of approximately 3.9 miles, and ending at approximately 172 feet from the railroad bridge over the Kalamazoo river in section 26, Concord township, T3S R3W, Jackson county. A person shall not do any of the following without written permission from a designated representative of the department upon the falling waters trail:

(a) Discharge a firearm, bow and arrow, or crossbow.

(b) Operate a motorized vehicle.

(c) Use or occupy any portion of the trail corridor from dusk to dawn.

(d) Ride or lead a horse, pack animal or other riding animal on the improved, paved portion of the trail corridor.

(e) Consume or possess alcoholic beverages.

(f) Possess a dog or other animal, unless it is under immediate control on a leash that is not more than 6 feet in length.

(14) Rogers city spur trail means the former railroad extending from section 8, T34N, R06E, Presque isle county south to where it intersects with the Alpena to hawks trail in section 8, T33N, R06E, Presque isle county. A person shall not do the following on the Roger's city spur trail:

(a) Operate a motorized vehicle, except a snowmobile, without written permission from the forest management field coordinator.

(15) Paxton spur trail means the former railroad extending from the King settlement road west to the Herron road in section 30, T31N, R07E, Alpena county. A person shall not do the following on the Paxton spur trail:

(a) Operate a motorized vehicle, except a snowmobile, without written permission from the forest management field coordinator

(16) Marquette west connector of the iron ore heritage trail means the former Duluth south shore and atlantic railroad grade between the US-41 and M-28 overhead bridge in the city of Marquette in the SW ¼ of the NW ¼ of section 22, T48N R25W, Marquette county, and ending in the NE ¼ of the SE ¼ of section 34, T48N R26W, Marquette county. A person shall not do the following on the Marquette west connector of the iron ore heritage trail:

(a) Operate a wheeled motorized vehicle without written permission from the department.

(b) Discharge a firearm, bow and arrow, or crossbow.

(17) The Ishpeming-Humboldt rail-trail means the former railroad right-of-way beginning at Winthrop junction in the city of Ishpeming in the NE ¼ of the NW ¼ of section 16, T47N R27W, Marquette county, and ending in Humboldt at the intersection of county road 601 in the SE ¼ of the NE ¼ of section 10, T4N R29W, Marquette county. A person shall not do any of the following upon the Ishpeming to Humboldt rail-trail:

(a) Operate a wheeled motorized vehicle which is 65 inches or more in width without written permission from the department.

(b) Discharge a firearm, bow and arrow, or crossbow.

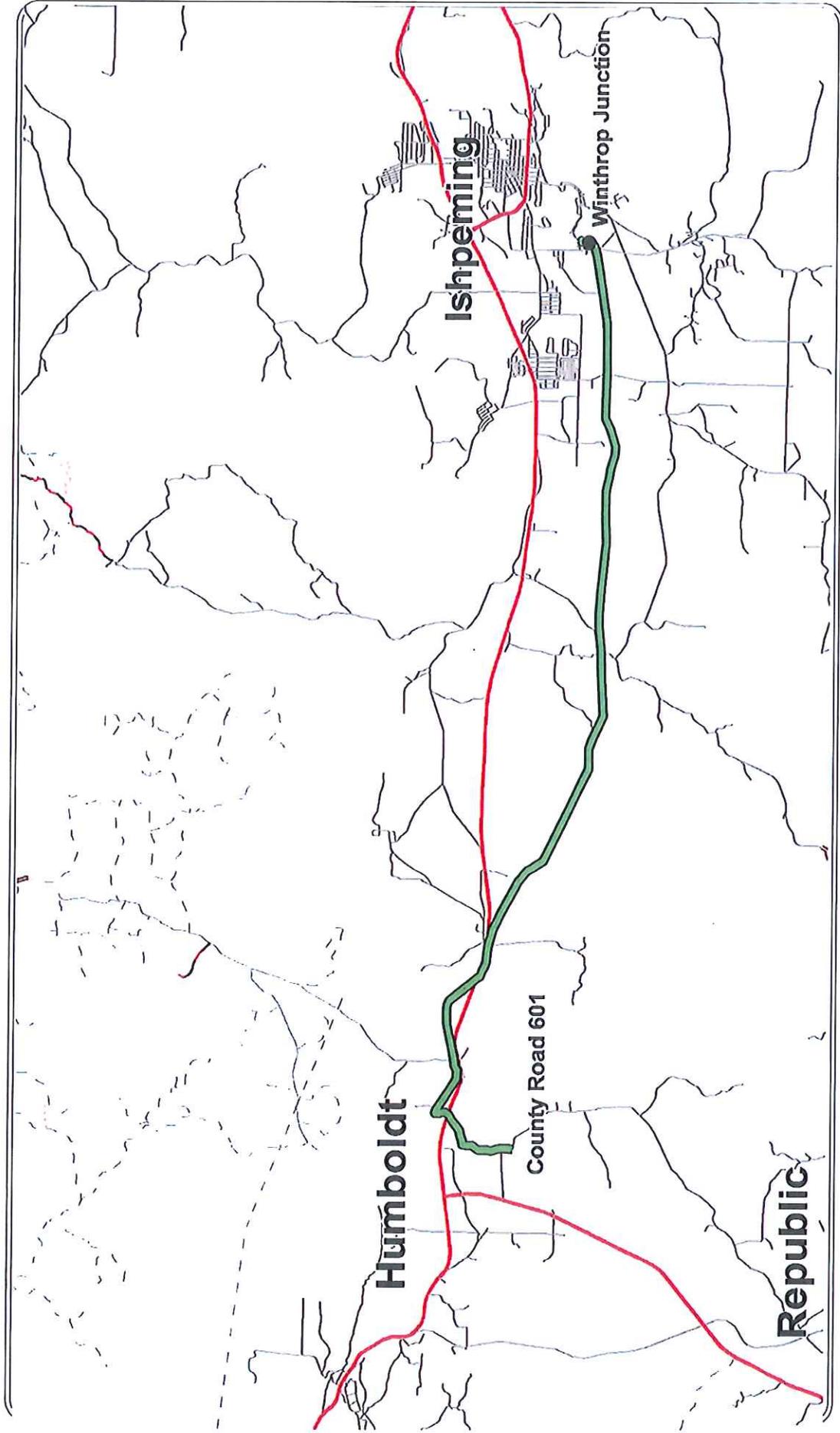
(c) Hunt on or from the grade.

This amended order shall be posted on or after the 10th day of April, 2015.

Issued on this 9th day of April, 2015.

Keith Creagh
Director

Proposed Land Use Order for Ishpeming to Humboldt Multiuse Route



Legend

-  Ishpeming to Humboldt Multiuse Route





Iron Ore Heritage Recreation Authority
337 W. Washington Street
Marquette, MI 49855
906-235-2923 fax 906-228-3642

**IRON ORE HERITAGE RECREATION AUTHORITY
RESOLUTION TO REQUEST LAND USE ORDER OF THE DIRECTOR
FOR ISHPEMING-HUMBOLDT RAIL-TRAIL**

The Ishpeming-Humboldt rail-trail means -- beginning at Winthrop Junction in the city of Ishpeming in the NE1/4 of the NW1/4 of Section 16, T47N R27W, Marquette County and ending in Humboldt at the intersection of County Road 601 in the SE 1/4 of the NE 1/4 of Section 10, T47N R29W, Marquette County.

The proposed LUOD would prohibit a person from doing any of the following on the rail-trail:

A person shall not do any of the following upon the Ishpeming-Humboldt rail-trail:

- (a) Operate a wheeled motorized vehicle which is greater than 65" in width.
- (b) Discharge a firearm, bow and arrow, crossbow or hunt on/from the grade.

(2) This order does not apply to the following circumstances and/or vehicles:

- a. Emergency vehicles.
- b. Law enforcement vehicles.
- c. Trail maintenance vehicles.
- d. Department vehicles.
- e. Other vehicles as authorized by the department.

WHEREAS, the Iron Ore Heritage Recreation Authority is formed to construct, maintain and interpret a multi-use trail in the townships of Chocolay, Marquette, Negaunee, Tilden and Republic and cities of Marquette, Negaunee and Ishpeming, and

WHEREAS, the Iron Ore Heritage Recreation Authority is the local lessee of the State owned rail-trail and will manage the rail-trail from Ishpeming's Winthrop Junction to Humboldt, and

WHEREAS, the residents of the city of Ishpeming, Tilden Township, and Republic Township have voted in the millage with the understanding that this grade would be a multi-use trail, and

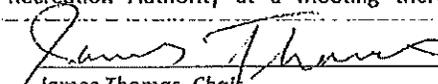
WHEREAS, the Iron Ore Heritage Recreation Authority is in the process of designing a multi-use 2.5 miles of trail in the City of Ishpeming and Tilden Township and has been awarded a DNR Trust Fund Grant of \$281,000 to build the trail, and

WHEREAS, the Iron Ore Heritage Recreation Authority wants to manage a safe trail for the residents along the trail system and for those using the trail system and that would mean no full-size vehicles or firearm discharge from/on the grade, and

NOW, THEREFORE BE IT RESOLVED the Iron Ore Heritage Recreation Authority hereby requests the restrictions along the Greenwood Grades.

(Yeas: 9 Nays: 0 Absent: 0)

I, Don Britton, Secretary, do hereby certify that the foregoing is a true and original copy of a resolution adopted by the Iron Ore Heritage Recreation Authority at a Meeting thereof held on the 28th day of May 2014.


James Thomas, Chair

May 12, 2014

Mr. Keith Creagh, Director
Michigan Department of Natural Resources
Executive Division
P.O. Box 30028
Lansing, MI 48909

Dear Director Creagh:

I am writing in support of a proposed Land Use Order of the Director (LUOD) on a portion of State owned rail-trail between the City of Ishpeming and Humboldt Township in Marquette County. The former rail corridor is known as the Ishpeming-Humboldt Rail-Trail. It begins at Winthrop Junction in the southwest section of the City of Ishpeming in the NE ¼ of the NW ¼ of Section 16, T47N R27W and ends in Humboldt Township at the intersection of County Road 601 in the SE ¼ of the NE ¼ of Section 10, T47N R29W. The rail-trail consists of the former Duluth South Shore and Atlantic Railroad between Ishpeming and Humboldt Township. This rail-trail is approximately 12 miles in length and is an important link in Marquette County's Iron Ore Heritage Trail (IOHT). During the winter months, this Rail-Trail is part of Snowmobile Trail 82, maintained by Moose Country Snowmobile Club of Republic.

The proposed LUOD would prohibit the following on the Rail-Trail:

- 1) Operate a wheeled motor vehicle which is greater than 65" in width (essentially Full-Size vehicles, such as Pickup Trucks, Jeeps, etc.);
- 2) Discharge a firearm, bow and arrow, crossbow, or hunt on/from the grade.

This proposed order would not apply to the following circumstances and / or vehicles:

- 1) Emergency vehicles;
- 2) Law enforcement vehicles;
- 3) Trail maintenance vehicles;
- 4) Department vehicles;
- 5) Other vehicles as authorized by the Department.

The following are points that we would like to make in support of the LUOD:

- The narrowness of the width of this rail-trail, which comprises large portions of the length of the rail-trail, would cause congestion from the combined shared use of Full-Size vehicles, ATV's / UTV's, and non-motorized users making it unsafe. In many areas, two-way traffic for full-size vehicles alone is not even possible due to the narrowness of the trail-grade - they wouldn't even be able to pass alongside one another during two-way travel let alone combining ATV / UTV and non-motorized users, which would make for unsafe situations for all user groups.

Proposed Land Use Order of the Director
Ishpeming-Humboldt Rail-Trail
May 12, 2014

- During spring break-up / run-off and wet conditions, Full-Size vehicles are more apt to cause rutting from the size of the tires and the weight of the vehicles. ATV's / UTV's in general tend to "float" more over the trail surface. As the maintenance grant sponsor for the Republic-Champion ORV Route, we have seen first-hand the detrimental effects of the usage of full-size vehicles on a former railroad grade. Also, with the planned surface work upgrade to be performed through the Iron Ore Heritage Trail Authority in the near future, from Ishpeming through Tilden Township, the use of full-size vehicles would be detrimental in keeping the surface in an acceptable condition for which it is intended as a multi-use trail.
- It has been documented that when Full-Size vehicles have access to rural trails / grades, there is an increase in the dumping of garbage, building materials, automobile/truck parts, appliances, and other trash. Our group has witnessed this first-hand. It takes many hours of hard work to clean up these rural pollution areas.
- Marquette County has numerous secondary, seasonal, and other rural roadways open to Full-Size vehicle use without having to encroach on this multi-use trail-grade. We really need this hybrid, shared trail-grade to be dedicated solely to smaller motorized and non-motorized users.

Our ATV group has been the maintenance grant sponsor for the Republic-Champion ORV Route for the past seven years and we have been applying for the development and management of more ORV trails in the western portion of Marquette County. We have written a trail proposal for the entire length of the Ishpeming-Republic Rail-Trail to become the maintenance grant sponsor for the ORV portion, and our intention is to share this rail-trail with the Iron Ore Heritage Trail Recreation Authority, creating a shared, multi-use motorized / non-motorized trail. While the IOHTRA builds and manages the non-motorized portion of the trail, we would establish and maintain the motorized portion. The residents of the City of Ishpeming and Tilden and Ely townships want this type of shared, multi-use trail system, without the use of Full-Size vehicles, which would provide our residents, as well as tourists, with a safer trail system for a multitude of users.

Thank you for considering our support for the LUOD. Please contact us with any questions you may have for us.

Sincerely,

Tom Myers

Tom Myers

President

U.P. North Country ATV

Riders Association

2116 Washington Avenue

Ishpeming, MI 49849

E-Mail: tmkklshpmi@yahoo.com

(906) 486 - 4713

We are writing in support of a Land Use Order of the Director (LUOD) on a portion of State owned rail-trail between Ishpeming and Humboldt in Marquette County. The grade is known as the Greenwood Grade.

The proposed LUOD would prohibit a person from doing any of the following on the rail-trail:

- (1) The Ishpeming-Humboldt rail-trail means -- beginning at Winthrop Junction in the city of Ishpeming in the NE1/4 of the NW1/4 of Section 16, T47N R27W, Marquette County and ending in Humboldt at the intersection of County Road 601 in the SE 1/4 of the NE 1/4 of Section 10, T47N R29W, Marquette County.

A person shall not do any of the following upon the Ishpeming to Humboldt rail-trail:

- (a) Operate a wheeled motorized vehicle which is greater than 65" in width.
- (b) Discharge a firearm, bow and arrow, crossbow or hunt on/from the grade.

(2) This order does not apply to the following circumstances and/or vehicles:

- (a) Trail segments that extend onto other trails, roads and routes that are open to other types of vehicles.
 - a. Emergency vehicles.
 - b. Law enforcement vehicles.
 - c. Trail maintenance vehicles.
 - d. Department vehicles.
 - e. Other vehicles as authorized by the department.

Our group, the Superior Heartland Horse Trails, is working with the local DNR office to allow equestrians along the Greenwood Grade. This 12-mile corridor will provide a legal, promotable, point-to-point equestrian trail in Marquette County. Currently, we have no point-to-point equestrian trails in Marquette County while vehicles have over 1000 miles of roads to ride on.

Many partners have come together to provide our residents with a "one of a kind" trail system in the Upper Peninsula. Please consider keeping it a "trail" by limiting access to full-size vehicles. Also, for the safety of all trail users, we believe there should be a restriction on firearm discharge and hunting on/from the grade.

Thank you for your consideration of our request.

Sincerely,

Joni Gleason

Joni Gleason

- President Superior Heartland Horse Trails

- U.P. Representative of Michigan's ETS (Equine Trail Subcommittee)



May 6, 2014

Keith Creagh, Director
Department of Natural Resources
PO Box 30028
Lansing MI 48909

Dear Director Creagh:

We are writing in support of a Land Use Order of the Director (LUOD) on a portion of State owned rail-trail between Ishpeming and Humboldt. The rail corridor is known as the Ishpeming to Humboldt rail-trail. The rail-trail consists of the former Duluth South Shore and Atlantic railroad between Ishpeming and Humboldt. The rail-trail extends 12 miles and is an important link in the Iron Ore Heritage Trail (IOHT).

The Ishpeming-Humboldt rail-trail means – beginning at Winthrop Junction in the city of Ishpeming in the NE1/4 of the NW1/4 of Section 16, T47N R27W, Marquette County and ending in Humboldt at the intersection of County Road 601 in the SE 1/4 of the NE 1/4 of Section 10, T47N R29W, Marquette County.

The proposed LUOD would prohibit a person from doing any of the following on the rail-trail:

A person shall not do any of the following upon the Ishpeming-Humboldt rail-trail:

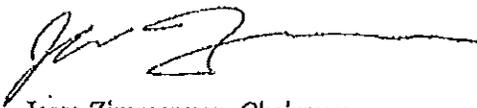
- (a) Operate a wheeled motorized vehicle which is greater than 65" in width.
- (b) Discharge a firearm, bow and arrow, crossbow or hunt on/from the grade.

(2) This order does not apply to the following circumstances and/or vehicles:

- a. Emergency vehicles.
- b. Law enforcement vehicles.
- c. Trail maintenance vehicles.
- d. Department vehicles.
- e. Other vehicles as authorized by the department.

The Ruffed Grouse Society advocates safe hunting and we recognize that twelve miles of corridor would not provide a safe environment for our hunters, other users of the trail, or the surrounding private property owners. It is a very narrow corridor surrounded by private property. Also, portions of the corridor are within Ishpeming's city limits where hunting is already prohibited.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jesse Zimmerman', with a long horizontal flourish extending to the right.

Jesse Zimmerman, Chairman
Mid-UP Ruffed Grouse Society Chapter



U.P. WHITETAILS ASSOC. INC.

of Marquette County

P.O. Box 624 • Marquette, MI 49855

May 13, 2014

Keith Creagh, Director
Department of Natural Resources
PO Box 30028
Lansing MI 48909

Dear Director Creagh:

We are writing in support of a Land Use Order of the Director (LUOD) on a portion of State owned rail-trail between Ishpeming and Humboldt. The rail corridor is the former Duluth South Shore and Atlantic railroad. The rail-trail extends 10 miles and is an important link in the Iron Ore Heritage Trail (IOHT).

The Ishpeming-Humboldt rail-trail means – beginning at Winthrop Junction in the city of Ishpeming in the NE1/4 of the NW1/4 of Section 16, T47N R27W, Marquette County and ending in Humboldt at the intersection of County Road 601 in the SE 1/4 of the NE 1/4 of Section 10, T47N R29W, Marquette County.

The proposed LUOD would prohibit a person from doing any of the following on the rail-trail:

A person shall not do any of the following upon the Ishpeming-Humboldt rail-trail:

- (a) Operate a wheeled motorized vehicle which is greater than 65" in width.
- (b) Discharge a firearm, bow and arrow, crossbow or hunt on/from the grade.

(2) This order does not apply to the following circumstances and/or vehicles:

- a. Emergency vehicles.
- b. Law enforcement vehicles.
- c. Trail maintenance vehicles.
- d. Department vehicles.
- e. Other vehicles as authorized by the department.

Our group, U.P. Whitetails of Marquette County supports hunting on lands where there's public access. Since most of the land surrounding this rail corridor is privately owned, there is no place for deer hunters to hunt along this grade. We would not be giving up any hunting areas if this grade did not allow firearm, bow and arrow or crossbow discharge.

Sincerely,

George Lindquist
Trustee

Eagle Mine

lundin mining

Eagle Mine
4547 County Road 601
Champion, MI 49814, USA
Phone: (906) 339-7000
Fax: (906) 339-7005
www.eaglemine.com

Thursday, June 19, 2014

Dear Director Creagh:

We are writing in support of a Land Use Order of the Director (LUOD) on a portion of State owned rail-trail between Ishpeming and Humboldt in Marquette County. The Ishpeming-Humboldt rail-trail means - beginning at Winthrop Junction in the city of Ishpeming in the NE1/4 of the NW1/4 of Section 16, T47N R27W, Marquette County and ending in Humboldt at the intersection of County Road 601 in the SE 1/4 of the NE 1/4 of Section 10, T47N R29W, Marquette County.

The proposed LUOD would prohibit a person from doing any of the following on the rail-trail:

A person shall not do any of the following upon the Ishpeming-Humboldt rail-trail:

- (a) Operate a wheeled motorized vehicle which is greater than 65" in width.
- (b) Discharge a firearm, bow and arrow, crossbow or hunt on/from the grade.

(2) This order does not apply to the following circumstances and/or vehicles:

- a. Emergency vehicles.
- b. Law enforcement vehicles.
- c. Trail maintenance vehicles.
- d. Department vehicles.
- e. Other vehicles as authorized by the department.

Our company, Lundin Mining, recently constructed a new bypass trail in the Humboldt region due to the reactivation of a rail grade. This bypass region has language written in that limits usage to vehicles less than 65" wide. We did not design this portion of trail for full size vehicles. We worked with the terrain within that region and there are many steep slopes and sharp corners that would not be appropriate with the mix of full size vehicles, ATVs, equestrians, bikers, and walkers.

We appreciate the opportunity to work with the State on building trails for multi-use, but feel that the value of the trail will be comprised if full size vehicles are added to the mix. There are many other roads in the area that provide access to lakes, streams, and other points of interest.

Sincerely,


Dan Blondeau

Senior Advisor - Communications & Media Relations
Lundin Mining

TILDEN TOWNSHIP
RESOLUTION TO REQUEST LAND USE ORDER OF THE DIRECTOR
FOR ISHPEMING-HUMBOLDT RAIL-TRAIL

The Ishpeming-Humboldt rail-trail means - beginning at Winthrop Junction in the city of Ishpeming in the NE 1/4 of the NW 1/4 of Section 16, T47N R27W, Marquette County and ending in Humboldt at the intersection of County Road 601 in the SE 1/4 of the NE 1/4 of Section 10, T47N R29W, Marquette County.

The proposed LUOD would prohibit a person from doing any of the following on the rail-trail:

A person shall not do any of the following upon the Ishpeming-Humboldt rail-trail:

- (a) Operate a wheeled motorized vehicle which is greater than 65" in width.
- (b) Discharge a firearm, bow and arrow, crossbow or hunt on/from the grade.

~~(2) This order does not apply to the following circumstances and/or vehicles:~~

- n. Emergency vehicles.
- b. Law enforcement vehicles.
- c. Trail maintenance vehicles.
- d. Department vehicles.
- e. Other vehicles as authorized by the department.

WHEREAS, Tilden Township is a member of the Iron Ore Heritage Recreation Authority which was formed to construct, maintain and interpret a multi-use trail in the townships of Chocolay, Marquette, Negaunee, Tilden and Republic and cities of Marquette, Negaunee and Ishpeming, and

WHEREAS, the Iron Ore Heritage Recreation Authority is the local lessee of the rail-trail and will manage the rail-trail from Ishpeming's Winthrop Junction to Humboldt, and

WHEREAS, the residents of Tilden Township have voted in the millage with the understanding that this grade would be a multi-use trail, and

WHEREAS, the North Country ATV Riders have proposed an ATV trail on this grade and are supportive of restricting access to vehicles no greater than 65" in width, and

WHEREAS, the Iron Ore Heritage Recreation Authority is in the process of designing 2.5 miles of trail in the City of Ishpeming and Tilden Township, and has been awarded a DNR Trust Fund Grant of \$281,000 to build the trail, and

WHEREAS, Tilden Township wants a safe trail for the residents along the trail system and for those using the trail system and that would mean no full-size vehicles or firearm discharge from/on the grade, and

NOW, THEREFORE BE IT RESOLVED Tilden Township hereby requests the restrictions along the Ishpeming to Humboldt Grade.

(Yeas: 4 Nays: 0 Absent: 1)

I, Jason Brown, Clerk, do hereby certify that the foregoing is a true and original copy of a resolution adopted by Tilden Township at a Meeting thereof held on the 20th day of May 2014.

Jason Brown

**RESOLUTION TO REQUEST LAND USE ORDER
OF THE DIRECTOR FOR THE ISHPENING TO HUMBOLDT RAIL GRADE**

The proposed Land Use Order of the Director would prohibit a person from doing any of the following on the former Duluth South Shore and Atlantic railroad between Ishpeming and Humboldt beginning at Winthrop Junction in the City of Ishpeming in the NE¼ of the NW¼ of Section 16, T47N R27W, Marquette County and ending in Humboldt at the intersection of County Road 601 in the SE¼ of the NE¼ of Section 10, T47N R29W, Marquette County.

- (a) Operate a wheeled motorized vehicle which is greater than 65" in width.
- (b) Discharge a firearm, bow and arrow, crossbow or hunt on/from the grade.

This order does not apply to the following circumstances and/or vehicles: Emergency vehicles, law enforcement vehicles, trail maintenance vehicles department vehicles, or other vehicles as authorized by the department.

WHEREAS, the Iron Ore Heritage Recreation Authority is the local lessee of the rail-trail and will manage the rail-trail from Ishpeming's Winthrop Junction to County Road 601 in Humboldt, and

WHEREAS, the Iron Ore Heritage Recreation Authority and Ely Township wants to manage a safe trail for the residents along the trail system and for those using the trail system and that would mean no full-size vehicles of firearm discharge from/on the grade, and

WHEREAS, the North Country Trail Riders Association has a proposal to operate an ATV trail along this corridor in conjunction with the Iron Ore Heritage Trail and would like to limit the trail to vehicles less than 65" in width, and

NOW THEREFORE BE IT RESOLVED, Ely Township supports the Iron Ore Heritage Recreation Authority's proposed restrictions along the Ishpeming-Humboldt rail-trail.

The foregoing Resolution offered by Board Member Schultz and supported by Board Member Flossing on May 21, 2014 at it's Regular Meeting of the Ely Township Board. Ayes - 4, Nays - 0. Motion carried.

CERTIFICATE

I, Kim D. Whig, the acting Clerk of Ely Township, hereby certifies that the foregoing Resolution was adopted by the Township Board at the regular meeting held on May 21, 2014

Kim D. Whig

To Carol Fulsher:

We would like to keep full sized vehicles off the grade. Also, not allow hunting for the safety of other trail users and private property owners surrounding the grade. However, I would like to have easements or permission, in writing, for all property owners to get to their camps on the grade.

Property Owners:

Mary O'Brien

Ronny O'Brien

Robt B. O'Brien

John O'Brien

Pat O'Brien

Carl O'Brien

Bill O'Brien

Nell O'Brien

Don O'Brien

Tom O'Brien

Mary O'Brien

Gerene Merrill

Stella Merrill

Kate Merrill

James K. Merrill

Bob Christian

Heidi Christian

Joe Cadran

Thomas Butcher

Robert Luoma